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HOUSE BILL 762

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

Greg Payne

AN ACT

RELATING TO HEALTH CARE; PROVIDING FOR DISCLOSURE AND REPORTING
REQUIREMENTS FOR HOSPITAL QUALITY INFORMATION AND CHARGE
DESCRIPTION MASTER.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. REPORTING REQUIREMENTS--HOSPITALS.--

A. As used in this section:

(1) "charge description master" means a
uniform schedule of charges represented by the hospital as its
gross billed charge for a given service or item, regardless of
payer type;

(2) "department" means the department of
health; and

(3) "hospital" means a general or special
hospital, nonprofit or for-profit, licensed by the department.

underscoring material = new
[bracketed material] = delete

1 B. A hospital shall make a written or electronic
2 copy of its charge description master available, either by
3 posting an electronic copy of the charge description master on
4 the hospital's internet web site, or by making one written or
5 electronic copy available at the hospital location.

6 C. The hospital shall post a clear and conspicuous
7 notice in its emergency department, if any, in its admissions
8 office and in its billing office that informs patients that the
9 hospital's charge description master is available in the manner
10 described in Subsection B of this section.

11 D. Information about charges provided pursuant to
12 Subsection B of this section shall include information about
13 where to obtain information regarding hospital quality,
14 including hospital outcome studies available from the office
15 and hospital survey information available from the joint
16 commission for accreditation of healthcare organizations.

17 E. A hospital shall not condition acceptance of a
18 contract with a health care service plan or health insurer upon
19 the health care service plan or health insurer waiving any
20 provision of this section.

21 F. A person may file a claim with the department
22 alleging a violation of this section. The department shall
23 investigate and inform the complaining person of its
24 determination whether a violation has occurred and what action
25 it will take.

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1 G. Each hospital shall file a copy of its charge
2 description master annually with the department, in a format
3 determined by the department.

4 H. Each hospital shall calculate an estimate of the
5 percentage increase in the hospital's gross revenue due to a
6 price increase for charges for patient services during the
7 twelve-month period beginning with the effective date of the
8 charge description master filed with the department. Each
9 hospital shall file the calculation and supporting
10 documentation with the department, in a form prescribed by the
11 department, at the time that the charge description master is
12 filed. The department may compile and publish this information
13 on its internet web site.

14 I. Each hospital shall compile a list of the
15 charges for the twenty-five services or procedures most
16 commonly charged to patients. Each hospital shall make this
17 list available to any person upon request. Each hospital shall
18 file this list annually with the department, in a form
19 prescribed by the department, along with the charge description
20 master. After reviewing hospital filings, the department may
21 develop a uniform reporting form for the twenty-five services
22 or procedures most commonly charged for patients, may require
23 hospitals to file this form with the department in a form
24 prescribed by the department and may require hospitals to
25 provide patients with the charges for these twenty-five

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1 services or procedures.

2 J. The department may compile a list of the ten
3 most common medicare diagnosis-related groups and the average
4 charge for each of these diagnosis-related groups per hospital.
5 The department may publish this information on its internet web
6 site.

7 K. Information provided the department on its
8 internet web site pursuant to Subsections I and J of this
9 section may inform persons where quality of care information
10 about hospitals may be obtained, including hospital outcome
11 studies available from the department and hospital survey
12 information available from the joint commission for
13 accreditation of healthcare organizations.

14 L. A hospital is in violation of this section if it
15 knowingly or negligently fails to comply with the requirements
16 of this section.

17 Section 2. EFFECTIVE DATE.--The effective date of the
18 provisions of this act is July 1, 2005.